

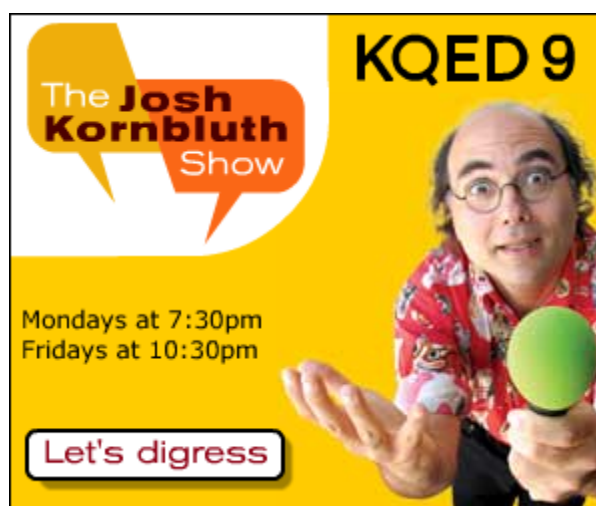
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Lawmakers Weigh Endangered Species Changes

- By ERICA WERNER, Associated Press Writer
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(09-21) 20:42 PDT WASHINGTON,
(AP) --

Conservative lawmakers poised to eliminate key provisions of the landmark 32-year-old Endangered Species Act encountered unexpected support Wednesday: Some environmentalists and liberal Democrats said they agree with some of the changes.



"There is a recognition that the current critical habitat arrangement doesn't work, for a whole host of reasons," said Rep. George Miller, D-Calif., a leading liberal voice on the House Resources Committee. "There are some in the environmental community who think the answer is just no to any change, and I think that's a problem."

Miller and other Democrats said that without substantial amendments, they still can't support a bill by Resources Committee Chairman Richard Pombo, R-Calif., that's set for a committee vote Thursday.

Pombo's bill is a top-to-bottom overhaul of the Endangered Species Act that would delete the federal government's ability to protect "critical habitat" for plants and animals and require compensation for landowners if the government blocks their development plans to protect certain species.

Landowners could move forward with development projects that might affect species after notifying the federal government, unless the government objects within 90 days.

Assistant Interior Secretary Craig Manson, head of the Fish and Wildlife Service, said the Bush administration hasn't developed a formal position on Pombo's bill. He said the agency agrees some parts of the law should be changed, including critical habitat, but other programs are troublesome — including the proposed compensation.

Pombo, a conservative rancher, contends the Endangered Species Act causes lawsuits and conflicts with landowners while failing to do enough for species. He notes that a tiny percentage of the 1,830 species listed under the act — about 15 — have come off the list because they've recovered; supporters counter that only nine listed species have gone extinct.

"I am willing to do whatever we can to put the focus on recovery and do what we can to recover these species as long as my property owners are protected," Pombo said.

Even some supporters say the designation of critical habitat where development is limited is driven by lawsuits, leading to bad decisions. Critics cite the proposal to list 4.1 million acres

in California — parts of 28 of the state's 58 counties — as habitat for the red-legged frog.

But Democrats and environmentalists who were willing to say goodbye to critical habitat wanted Pombo to propose stronger language in other parts of the bill in exchange. Instead they say he erased critical habitat without including other mechanisms to protect species' homes.

Democrats also complained that Pombo hasn't given them enough time to study the bill. The first hearing was Wednesday, it's set for a committee vote Thursday, and Pombo hopes to get it through the full House next week. Pombo last attempted to rewrite the Endangered Species Act in the mid-1990s, but failed.

Even if it passes the House, the bill could have trouble in the Senate. Sen. Lincoln Chafee, R-R.I., a moderate who chairs an Environment and Public Works subcommittee, is holding hearings and considering introducing a bill. Spokesman Stephen Hourahan said the senator has concerns about Pombo's critical habitat provision.

On the Net:

Endangered Species Act information:

House Resources Committee:

www.fws.gov/endangered/

resourcescommittee.house.gov/

URL: <http://sfgate.com/cgi-bin/article.cgi?file=/n/a/2005/09/21/national/w155733D48.DTL>

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